GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4500
ANSWERED ON:22.04.2003
APPOINTMENT OF PIO IN MINISTRIES
A.C. JOSE

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government have taken steps and measures to appoint Public Information Officer (PIO) in every Ministry and Departments as provided in the FOI Act, 2002;

(b) if so, the details thereof;

(c) whether the FOI Act does not provide for any penalty in case of non-compliance, nor does it have an independent appeal mechanism;

(d) if so, whether the Government are contemplating to bring the necessary amendment in this regard;

(e) if so, the details thereof; and

(f) if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D SWAMI)

(a)&(b): In order to make the `Freedom of Information Act, 2002` operational, action is being taken to draft rules in terms of enabling provisions in Sections 17, 18 and 19. Matters incidental to the appointment of Public Information Officers would form a part of the rules and after these are notified, the public authorities shall be suitably advised to formally appoint their PIOs accordingly.

(c): Yes, Sir.

(d): No, Sir.

(e): Does not arise, in view of reply to part (d) of the question.

(f): An independent appeal mechanism was not considered practicable from the point of view of cost, speed of disposal and convenience to the public. On the other hand, it was felt that the departmental appeals would be far more economical and cost effective for the appellants. The Act, accordingly, provides for a two tier departmental appellate mechanism. Similarly, it is proposed to amend the relevant provisions in the Central Civil Service (Conduct) Rules and similar provisions in the corresponding rules so as to make the government servants liable to action under the relevant disciplinary rules in case of non-compliance with the provisions of the Act.